

To: Rogers, Rick[rogers.rick@epa.gov]
From: Rivera, Nina[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2B2613105D65483F986379030237B038-NRIVERA]
Sent: Fri 4/16/2021 3:26:15 PM (UTC)
Subject: RE: SDWA case with state court orders

Sounds good. Thanks.

From: Rogers, Rick <rogers.rick@epa.gov>
Sent: Friday, April 16, 2021 10:22 AM
To: Rivera, Nina <Rivera.Nina@epa.gov>
Subject: RE: SDWA case with state court orders

How about we do a review and let you know if we have any questions and then propose an action with the existing order and run that by you?

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From: Rivera, Nina <Rivera.Nina@epa.gov>
Sent: Friday, April 16, 2021 8:23 AM
To: Rogers, Rick <rogers.rick@epa.gov>
Subject: RE: SDWA case with state court orders

To make sure I understand, you want someone to look at the court orders and see if they cover the same thing as the EPA order, so that we can terminate the order?
I may ask a paralegal to do this, if that is the scope of assignment (and keep the attorneys for more complicated matters).
But if will go beyond this, then I'll find an attorney. Thanks.

From: Rogers, Rick <rogers.rick@epa.gov>
Sent: Thursday, April 15, 2021 10:44 AM
To: Rivera, Nina <Rivera.Nina@epa.gov>
Subject: RE: SDWA case with state court orders

Yes it was Mountaire. A SDWA case involving a 1431 order for provision of alternate drinking water due to nitrate contamination. Amy Cohen is the SDWA case lead. Its an order that's been active for quite a while. I pasted an email that includes a link to the Inquirer article from Tuesday.

Right after I mentioned that one to you, I got a voicemail from a DE resident who's been "investigating" Mountaire. He alleged many "violations" related to illegal dumping of liquid waste in various places. I called him back yesterday and he gave me a 78 minute earful and said he would send me some information. He feels that there is a lot more violations than what the class action law suit and DNREC's suit filed in US District Court covers. He spoke with Carol Amend the day before. He sent me a couple of emails containing some of the results of his investigations into Mountaire's operations. We'll start sorting through it, but I'm not sure if anything will be actionable on our part since the only avenue we would have on solid waste disposal would be a 7003 emergency order under RCRA. Carol mentioned referring the complaint to CID. I'll check with her to see if she did.

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From: Rivera, Nina <Rivera.Nina@epa.gov>
Sent: Wednesday, April 14, 2021 9:28 AM
To: Rogers, Rick <rogers.rick@epa.gov>
Subject: SDWA case with state court orders

Can you remind of the case you mentioned earlier this week? Was it Mount Air (sp?)? Who is the staff person working on that?
Thanks.